

at least one terminal is arranged to favor at least one cell based on data specific to that terminal stored in and received from the network. The advantages of Applicant's invention, as set forth in claims 1, 4 and 6 are discussed in detail on page 9, lines 6-20 of the specification. The Examiner is again respectfully referred thereto.

In formulating the rejection based on Alford, it seems that the Examiner has misunderstood a fundamental difference between the teachings of Alford and the present invention. Specifically, when discussing Alford in the paragraph bridging pages 2 and 3 of the Office Action, the Examiner refers to "feature transmission of cell beacon that identifies a particular cell being transmitted on every transceiver in the cell site base station" (emphasis added). Further, the Examiner notes that the teachings of Alford are directed to the cell beacon comprising a cell ID code and further the indicia of cell preference is equal to the cell ID code transmission in the cell beacon. Applicant's invention, as set forth in claims 1, 4 and 6 is patentably distinguishable therefrom for the following reasons.

In the claims the Applicant requires at least one terminal to be arranged to favor at least one cell based on data specific to that terminal stored in and received from the network. In other words there must be some data that is specific to that terminal, so that the terminal-specific data is stored in the network and the terminal receives the terminal-specific data from the network. In Alford the network does not store such terminal-specific data, and consequently the network cannot transmit such terminal-specific data to the terminal. In the

system of Alford there does exist some terminal-specific data, and admittedly the network transmits some data, but what applicant does is patentably distinguishable therefrom. In Alford each cell site transmits a cell site identifier, which is specific to that cell site but in no way specific to any terminal. The cell site keeps transmitting that identifier on a beacon frequency forever, regardless of which terminals are located in the cell or indeed regardless of whether there are any terminals located in the cell at all. The terminal-specific data of Alford is the data that is permanently stored within the terminal. The stored terminal-specific data of Alford is terminal-specific in the sense that each terminal may have its own list of most favorable cells, i.e. its own list of the cell site identifiers that correspond to the most favorable cells. When the terminal receives from the network a general beacon transmission, it picks the cell site identifier from the general beacon transmission and compares it to its own stored list of favorable cell site identifiers.

In short, Alford discloses a solution where at least one terminal is arranged to favor at least one cell based on a) data specific to that terminal stored in the terminal and b) non-terminal-specific data received from the network. In sharp contrast, Applicant's invention as set forth in the independent claims requires at least one terminal to be arranged to favor at least one cell based on data specific to that terminal stored in and received from the network. Alford does not anticipate or render obvious Applicant's invention as claimed.

In view of the above, allowance of claims 1, 4 and 6 is

respectfully requested.

The remaining claims depend from one of independent claims 1, 4 or 6. These claims recited further limitations, which, in combination with the limitations of the claim from which they depend are not shown or suggested in the art of record. For the reasons set forth above with respect to claims 1, 4 and 6, it is respectfully submitted that the dependent claims are also directed to patentable subject matter.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issue remain, the Examiner is invited to call Applicant's Attorney at the telephone number indicated below.

Respectfully submitted,

David Aker
 David Aker (Reg. No. 29,277)
 PERMAN & GREEN, LLP
 425 Post Road
 Fairfield, CT 06430
 (203) 259-1800 x108

APRIL 17, 2001

Date

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail on the date shown below in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

April 17, 2001
 Date

Shawn Murphy
 Name of Person Making Deposit